IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
W.P. No. 810 of 2003 (S/S)

Smt. Naseem Jahan ……. Petitioner

Versus

Union of India & others …… Respondents

Mr. B.S. Khanka, learned counsel for the petitioner.
Mr. L.P. Naithani, learned Senior Advocate for respondents No. 2 to 4.

Hon'ble P.C. Verma, A.C.J.

By means of this writ petition, the petitioner has prayed for a writ of mandamus to command the respondents to pay family pension and death benefits of the deceased to the petitioner.

Heard Mr. B.S. Khanka, learned counsel for the petitioner, Mr. L.P. Naithani, learned Senior Advocate on behalf of respondents No. 2 to 4 and learned Senior standing Counsel, Govt. of India.

Husband of the petitioner was employed with the respondents and he died in the year 2000. As per rules of the respondents, petitioner is entitled for family pension. Learned counsel for the respondents submitted that the respondents have no objection for payment of family pension, if the petitioner files a succession certificate.

Since, the respondents have no objection, therefore, the petitioner may obtain a Succession Certificate form the competent Court and file the same before the respondents. If the Succession Certificate is filed, the family pension shall be realeased to the petitioner along with all arrears of family pension.

Writ petition is disposed of accordingly. No order as to costs.

(P.C. Verma, A.C.J.)

Dt. 21.06.2004
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